

MESSAGE NO: 7037201 MESSAGE DATE: 02/06/2007

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 5339203
MESSAGE #
(s):

CASE #(s): A-122-847

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 10/01/2004 TO 09/30/2005

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR THE RESCISSION OF ADMIN. REVIEW OF ADD
DUTY ORDER OF CERTAIN HARD RED SPRING WHEAT FROM CANADA - CANADIAN
WHEAT BOARD(A-122-847-001)

MESSAGE NO: 7037201

DATE: 02 06 2007

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 5339203

REFERENCE DATE: 12 05 2005

CASES: A - 122 - 847

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PERIOD COVERED: 10 01 2004 TO 09 30 2005

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR THE RESCISSION OF ADMIN.
REVIEW OF ADD DUTY ORDER OF CERTAIN HARD RED SPRING
WHEAT FROM CANADA - CANADIAN WHEAT BOARD(A-122-847-001)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON
CERTAIN HARD RED SPRING WHEAT FROM CANADA (A-122-847), COVERING
THE PERIOD 10/01/2004 THROUGH 09/30/2005 HAS BEEN RESCINDED FOR
ALL FIRMS (SEE BELOW). YOU ARE TO ASSESS ANTIDUMPING DUTIES ON
THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR
CONSUMPTION DURING THE PERIOD LISTED BELOW AT THE CASH DEPOSIT
OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRMS:

CANADIAN WHEAT BOARD

A-122-847-001

2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE MERCHANDISE FOR THE PERIOD LISTED ABOVE OCCURRED WITH THE PUBLICATION OF THE NOTICE OF RESCISSION OF THE ADMINISTRATIVE REVIEW (71 FR 77371) ON 12/26/2006. THE DEPARTMENT OF COMMERCE HAS REVOKED THE ANTIDUMPING DUTY ORDER AND COUNTERVAILING DUTY ORDER ON HARD RED SPRING WHEAT FROM CANADA AND PUBLISHED THE REVOCATION IN THE FEDERAL REGISTER ON 02/16/2006 (71 FR 8275). THE EFFECTIVE DATE OF THE REVOCATION IS JANUARY 2, 2006. (SEE CUSTOMS MESSAGE NUMBER 6055202). DO NOT COLLECT CASH DEPOSITS ON ANY ENTRIES ON OR AFTER JANUARY 2, 2006.

3. THE REVOCATION DOES NOT AFFECT THE REQUIREMENTS OF A CASH DEPOSIT OR BOND ON ENTRIES SUBJECT TO THE SUSPENSION OF LIQUIDATION ANNOUNCED ON DECEMBER 5, 2005, (SEE CUSTOMS MESSAGE NUMBER 5339203) IN THE COMPANION COUNTERVAILING DUTY ADMINISTRATIVE REVIEW OF CERTAIN HARD RED SPRING WHEAT FROM CANADA (C-122-848).

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAYS INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE

THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O1:YB).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party